

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION**

MICHAEL ALLEN HOLLAND,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CIVIL ACTION NO.: 2:16-cv-67

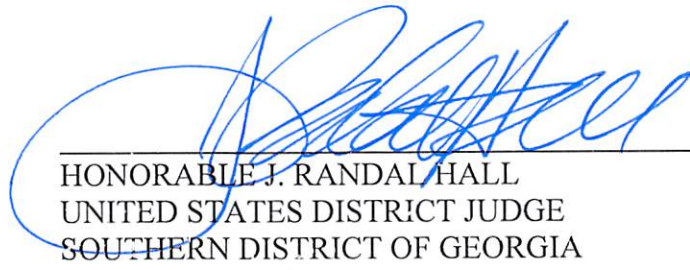
(Case No. 2:06-cr-3)

**ORDER**

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, (doc. 4), to which Michael Holland ("Holland") filed Objections, (doc. 7). The Court notes Holland's contention that he has filed an application with the Eleventh Circuit Court of Appeals for permission to pursue a second or successive 28 U.S.C. § 2255 motion. However, this Court has no record of the Eleventh Circuit granting Holland to proceed with his current Section 2255 Motion. As the Magistrate Judge so informed Holland, without this authorization, this Court lacks jurisdiction to consider Holland's Motion. (Doc. 4, p. 3 (quoting Carter v. United States, 405 F. App'x 409, 410 (11th Cir. 2010).) Accordingly, the Court **ADOPTS** the Magistrate Judge's Report and Recommendation as the opinion of the Court and **OVERRULES** Holland's Objections.

The Court **DISMISSES** Holland's Motion, **DENIES** Holland leave to proceed *in forma pauperis* on appeal, and **DENIES** Holland a Certificate of Appealability. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 12<sup>th</sup> day of July, 2016.



---

HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA